IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH NAGPUR

Cri. Writ Petition No.235/2006

Office Notes, Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders. : Court's or Judge's orders

---

CORAM : D.S. Zoting & A.P.Lavande, JJ.
DATED :4th September, 2006

Heard Ms. Shesh, learned counsel for the petitioner and Mr. Patel, learned A.P.P. for the respondents.

The petitioner's elder son Ramesh was working at `Amrutsar – Panjabai Dhaba' whereas the petitioner resides at village Dhanaj in Tahsil Umarkhed. She received a message about death of Ramesh and she noticed that post-mortem examination was conducted at Primary Health Centre, Dongarkada. Therefore, she suspected that her son might have met with unnatural death, she approached Police and inquired about the cause of death of her son. However, she did not receive any specific information about the death of her son,

therefore, she has filed this petition for registration of crime and for grant of compensation.

In pursuance of the notice issued to the respondents, respondent nos. 2 and 3 have filed affidavit in reply. Along with affidavit, they have filed copy of the post mortem report. They have also produced papers of inquiry under Section 174 of the Code of Criminal Procedure. We have gone through the papers. The post mortem report shows that deceased Ramesh was suffering from tuberculosis. The Medical Officer opined that the cause of death is due to inhalation of the blood due to asphyxia which is on account of Haemptysis. The Police recorded statements of some persons but they did not find any incriminating circumstance suspecting the death of the deceased Ramesh.

Taking into consideration the post mortem report as well as the report

under Section 174 of the Code of Criminal Procedure Code produced before us, we do not find any reason to direct respondent no. 2 to register the offence and the investigate in respect of death of son of the petitioner. The petition is devoid of merits and as such the petition is dismissed in limine.

JUDGE JUDGE

A.